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# A BILL FOR AN ACT

RELATING TO ELECTRIC VEHICLES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that General Motors  
2 Company has announced that it will cease sales of gasoline-  
3 powered vehicles by 2035, and numerous other car manufacturers  
4 have announced similar plans. Tesla, Inc., the most valuable  
5 auto manufacturer in the world and with the fastest growing  
6 auto-sales, sells only electric vehicles. Electric vehicles are  
7 already cheaper to operate and maintain than gasoline-powered  
8 vehicles. Embracing electric vehicles will lower the cost of  
9 living for residents.

10           The legislature further finds that nearly half of Hawaii's  
11 residents live in multi-unit dwellings and apartment buildings  
12 in which electric vehicle charging infrastructure is not  
13 currently available. Retrofitting these buildings will cost  
14 many thousands of dollars and take many years. As the sales of  
15 gasoline-powered vehicles quickly comes to an end, Hawaii must  
16 facilitate the installation of electric vehicle charging  
17 infrastructure, or many residents will be left behind, unable to



1 charge electric vehicles, unable to commute, and unable to  
2 reduce their cost of living.

3 The purpose of this Act is to establish a market-based  
4 electric vehicle infrastructure incentive program consisting of  
5 a luxury pollution fee on the registration of high-end gasoline-  
6 powered vehicles for purposes of greening of highway  
7 infrastructure and funding the electric vehicle charging system  
8 rebate program established under section 269-72, Hawaii Revised  
9 Statutes. The program is to be self-financing and is not  
10 intended to increase expenditures from or reduce revenues into  
11 the general fund.

12 SECTION 2. Section 249-31, Hawaii Revised Statutes, is  
13 amended to read as follows:

14 " [{} OTHER LEVIES {}]

15 **§249-31 State registration fee.** (a) All vehicles and  
16 motor vehicles in the State as defined in section 249-1,  
17 including antique motor vehicles, except as otherwise provided  
18 in sections 249-4, 249-6, and 249-31.5, shall be subject to a  
19 \$45 annual vehicle registration fee; provided that electric  
20 vehicles and alternative fuel vehicles shall pay an annual  
21 vehicle registration surcharge fee of \$50, which shall be



1 assessed and collected beginning with the first registration  
2 renewal for every electric vehicle and alternative fuel vehicle  
3 and shall be deposited into the state highway fund established  
4 under section 248-8[-]; provided further that all non-electric  
5 vehicles with an initial manufacturer suggested retail price  
6 exceeding \$60,000 registered in the State after December 31,  
7 2021, shall be subject to an annual luxury pollution  
8 registration fee of \_\_\_\_\_ per cent of the original  
9 manufacturer suggested retail price of the vehicle greater than  
10 \$60,000. The fee shall be paid each year together with all  
11 other taxes and fees levied by this chapter on a staggered basis  
12 as established by each county as authorized by section 286-51,  
13 and the state registration for that county shall likewise be  
14 staggered so that the state registration fee is due and payable  
15 at the same time and shall be collected together with the county  
16 fee. The state registration fee shall be deemed delinquent if  
17 not paid with the county registration fee. The respective  
18 counties shall collect this fee together with the vehicle  
19 registration tax collected for the county and shall transfer the  
20 moneys collected under this section to the State.



1 (b) In addition to the annual vehicle registration  
2 surcharge fee, for each annual motor vehicle registration fee,  
3 the director shall deposit:

4 (1) \$40 into the state highway fund ~~[and]~~;

5 (2) \$5 into the emergency medical services special fund.

6 (c) For each luxury pollution vehicle registration fee,  
7 the director shall deposit:

8 (1) Twenty-five per cent of the collected fee into the  
9 State highway fund established under section 248-9;

10 and

11 (2) Seventy-five per cent of the collected fee into the  
12 energy security special fund established under section  
13 201-12.8 for purposes of providing rebates for the  
14 electric vehicle charging system rebate program  
15 established under section 269-72."

16 SECTION 3. Section 269-72, Hawaii Revised Statutes, is  
17 amended to read as follows:

18 "[+]§269-72[+] **Electric vehicle charging system; rebate**  
19 **program.** (a) The public utilities commission, in consultation  
20 with electric vehicle stakeholders and the state energy office,  
21 shall administer a rebate program that incentivizes the



1 installation or upgrade of an electric vehicle charging system,  
2 as provided in this section, and may contract with a third-party  
3 administrator pursuant to section 269-73 to operate and manage  
4 the rebate program.

5 (b) An applicant may be eligible for a rebate under the  
6 rebate program if the applicant:

7 (1) Installs a new electric vehicle charging system where  
8 none previously existed to either:

9 (A) An alternating current Level 2 station with two  
10 or more ports that provide electricity to two or  
11 more electric vehicles; or

12 (B) A direct current fast charging system; or

13 (2) Upgrades an existing electric vehicle charging system  
14 to either:

15 (A) An alternating current Level 2 station with two  
16 or more ports that provide electricity to two or  
17 more electric vehicles; or

18 (B) A direct current fast charging system.

19 (c) Subject to subsection (d), rebates shall be  
20 distributed as follows:



- 1           (1) Each eligible installation of an electric vehicle
- 2           charging system shall receive:
- 3           (A) \$4,500 for the installation of an alternating
- 4           current Level 2 station with two or more ports;
- 5           and
- 6           (B) \$35,000 for the installation of a direct current
- 7           fast charging system; and
- 8           (2) Each eligible upgrade of an electric vehicle charging
- 9           system shall receive:
- 10          (A) \$3,000 for the upgrade to an alternating current
- 11          Level 2 station with two or more ports; and
- 12          (B) \$28,000 for the upgrade to a direct current fast
- 13          charging system.
- 14          (d) The public utilities commission shall not issue more
- 15          than \$500,000 in total rebates under this section each fiscal
- 16          year.
- 17          (e) The public utilities commission shall:
- 18          (1) Prepare any forms that may be necessary for an
- 19          applicant to claim a rebate pursuant to this section;
- 20          and



1           (2)   Require each applicant to furnish reasonable  
2                   information to ascertain the validity of the claim,  
3                   including but not limited to documentation necessary  
4                   to demonstrate that the installation or upgrade for  
5                   which the rebate is claimed is eligible.

6           (f)   This section shall apply to electric vehicle charging  
7 systems that are installed or upgraded after December 31, 2019.

8           (g)   Applicants shall submit applications to the public  
9 utilities commission within twelve months of the date that the  
10 newly installed or upgraded charging system is placed into  
11 service to claim a rebate from the electric vehicle charging  
12 system rebate program. Failure to apply to the commission  
13 within twelve months of the date that the newly installed or  
14 upgraded charging system is placed into service shall constitute  
15 a waiver of the right to claim the rebate.

16           (h)   Nothing in this section shall alter taxes due on the  
17 original purchase or upgrade price of an electric vehicle  
18 charging system prior to the application of the rebate. Any  
19 rebate received pursuant to the electric vehicle charging system  
20 rebate program shall not be considered income for the purposes  
21 of state or county taxes.



1 (i) In administering the electric vehicle charging system  
2 rebate program, the public utilities commission shall give  
3 consideration to the following guidelines:

4 (1) Priority should be given to electric vehicle charging  
5 systems that are publicly available, serve multiple  
6 tenants, employees, or customers, or serve electric  
7 vehicle fleets;

8 (2) Electric vehicle charging system rebates should  
9 enhance broader public clean energy and grid  
10 resiliency goals by supporting deployment of electric  
11 vehicle charging systems that can regulate their time  
12 of use, be networked and co-optimized with other  
13 electric vehicle charging systems, and otherwise  
14 provide grid services or other benefits to the utility  
15 and electric grid; and

16 (3) Electric vehicle charging systems that serve a single  
17 person, such as a reserved parking stall or a single-  
18 family residence, shall not be eligible for rebates.

19 (j) The commission may provide a rebate that may be used  
20 by an applicant to purchase a new electric vehicle or the



1 installation or upgrade of an electric vehicle charging system  
2 if the applicant:

3       (1) Is low-income as defined by the public utilities  
4             commission; and

5       (2) Is domiciled in the State.

6 For the purposes of this subsection, "electric vehicle" has the  
7 same meaning as section 291-71.

8       ~~(j)~~ (k) As used in this section:

9       "Alternating current Level 2 charging station", commonly  
10 referred to as "Level 2 charging station", means an electric  
11 vehicle charging system that utilizes alternating current  
12 electricity providing at least three kilowatts and means a  
13 system that:

14       (1) Is capable of providing electricity from a non-vehicle  
15             source to charge the batteries of one or more electric  
16             vehicles;

17       (2) Meets recognized standards and protocols including,  
18             but not limited to, Society of Automotive Engineers  
19             (SAE) J1772™ of SAE International and Tesla protocol;  
20             and



1 (3) Is designed and installed in compliance with article  
2 625 of the National Electrical Code to appropriate  
3 Nationally Recognized Testing Laboratories' standards.

4 "Applicant" means an individual; non-profit or for-profit  
5 corporation; local, state, or federal government agency;  
6 homeowner association; or any other eligible entity as defined  
7 under rules adopted for the electric vehicle charging system  
8 rebate program.

9 "Direct current fast charging system", commonly referred to  
10 as "DC fast charging system", means an electric vehicle charging  
11 system that utilizes direct current electricity providing forty  
12 kilowatts or greater and:

13 (1) Is capable of providing electricity from a non-vehicle  
14 source to charge the batteries of one or more electric  
15 vehicles;

16 (2) Meets recognized standards and protocols, including,  
17 but not limited to, Society of Automotive Engineers  
18 (SAE) J1772™ of SAE International, Tesla protocol, and  
19 CHAdeMO protocol; and



1 (3) Is designed and installed in compliance with article  
2 625 of the National Electrical Code to appropriate  
3 Nationally Recognized Testing Laboratories' standards.

4 "Electric vehicle charging system" has the same meaning as  
5 Electric Vehicle Supply Equipment as defined in article 625.2 of  
6 the National Electrical Code, as amended."

7 SECTION 4. There is appropriated out of the energy  
8 security special fund the sum of \$400,000 or so much thereof as  
9 may be necessary for fiscal year 2021-2022 and the same sum or  
10 so much thereof as may be necessary for fiscal year 2022-2023  
11 for deposit into the public utilities commission special fund.

12 SECTION 5. There is appropriated out of the public  
13 utilities commission special fund the sum of \$400,000 or so much  
14 thereof as may be necessary for fiscal year 2021-2022 and the  
15 same sum or so much thereof as may be necessary for fiscal year  
16 2022-2023 for the administration of the electric vehicle  
17 charging system rebate program.

18 The sums appropriated shall be expended by the public  
19 utilities commission for the purposes of this Act.

20 SECTION 6. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



1 SECTION 7. This Act shall take effect on January 1, 2050.



**Report Title:**

Electric Vehicles; Charging; Infrastructure Incentive Program;  
Tax; Appropriation

**Description:**

Establishes an annual luxury pollution registration fee for non-electric vehicles over \$60,000 beginning 12/31/21. Requires the fees to be deposited in the state highway fund and support the electric vehicle charging system rebate program. Expands the rebate program to include low-income residents of the state. Takes effect 1/1/2050. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

